THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21566 of 2006

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents 1 and 2 in not considering the representation of the petitioner dated 9.3.2006 for re-issuance of authorisation in respect of Fair Price Shop of Vommali village, V.Madugula mandal, Visakhapatnam district as arbitrary and illegal.

It appears, the petitioner is the fair price shop dealer of Depot No.II at Vommali village. While so, on 20.2.2003 a show cause notice was issued asking the petitioner to explain as to why action should not be initiated against him for the irregularities enumerated in the said show cause notice. Thereafter, it seems criminal prosecution was launched against petitioner in Crime No.14/03 of Station House Officer, V.Madugula Police Station under Section 406 of Indian Penal Code and subsequently the same was registered as C.C.No.42/2003 on the file of the Judicial First Class Magistrate, V.Madugula, Visakhapatnam district. However, in the said criminal case, petitioner was acquitted on 10.11.2005. Thereafter, petitioner made a representation on 9.6.2006 to the first respondent seeking re-issuance of authorisation in view of his acquittal in the criminal case as per proviso to clause 5 (4) of A.P. State Public Distribution System Control Order, 2001. According to the petitioner, his representation made in this regard is still pending.

In view of the above, without expressing any opinion on merits, the respondents are directed to dispose of the representation filed by the petitioner on 9.6.2006 as per clause 5(4) of A.P. State Public Distribution System Control Order, 2001 within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No order as to costs.

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C.V.RAMULU, J

Date: 18.10.2006
DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

18.10.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21566 of 2006

Date: 18th October, 2006

Between:

Gadam Konda Babu

.. Petitioner

And

The Revenue Divisional Officer,
Narsipatnam, Visakhapatnam district & another.

.. Respondents